

UNITED STATES DISTRICT COURT

Southern

District of New York

A.W. FINANCIAL SERVICES, S.A., as  
successor in interest to  
TERTIAIRE INVESTISSEMENT, S.A.  
Plaintiff

V.

EMPIRE RESOURCES, INC.,  
AMERICAN STOCK TRANSFER & TRUST  
COMPANY, and AFFILIATED COMPUTER  
SERVICES, INC.,  
Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 8491

JUDGE STEIN

TO: (Name and address of Defendant)

Empire Resources, Inc., One Parker Plaza, Fort Lee, NJ 07024;  
American Stock Transfer & Trust Company, 59 Maiden Lane, Plaza Level, New York, NY 10038  
Affiliated Computer Services, Inc., 2828 North Haskell, Dallas, TX 75204

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Phillips Nizer LLP  
666 Fifth Avenue  
New York, NY 10103

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 28 2007

CLERK

DATE

(By) DEPUTY CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

A.W. FINANCIAL SERVICES, S.A., as successor in  
Interest to TERTIAIRE INVESTISSEMENT, S.A.,

Case No.  
07Civ8491

Plaintiff,

-against-

**AFFIDAVIT OF  
SERVICE**

EMPIRE RESOURCES, INC. et al.,

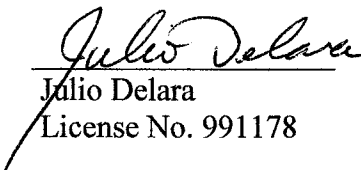
Defendants.

STATE OF NEW YORK)  
COUNTY OF NEW YORK } ss.:

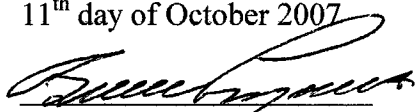
Julio Delara, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at New York, NY:

On October 10, 2007 at 2:35 p.m. at 59 Maiden Lane, Plaza Level, New York, NY 10038, I served the within SUMMONS, COMPLAINT, RULE 7.1 STATEMENT, 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR ELECTRONIC CASE OR APPEAL, PROCEDURES FOR ELECTRONIC CASE FILING and GUIDELINES FOR ELECTRONIC CAS FILING on AMERICAN STOCK TRANSFER & TRUST COMPANY, defendant therein named, by delivering a true copy of same to SHERI SADI, designated agent.

The person served is a white female, black hair, 45-55 years old, 5'4"-5'6" in height, 145-155 pounds.

  
Julio Delara  
License No. 991178

Sworn to before me this  
11<sup>th</sup> day of October 2007

  
NOTARY PUBLIC

BRUCE LAZARUS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 4990593  
Qualified in Westchester County  
My Commission Expires January 13, 2010

139 Fulton Street, New York, NY 10038  
Tel: 212-393-9070 • 800-393-1277

**LegalEase**  
Inc.

Fax: 212-393-9796